

Appln No. 09/765,535
Amdt date April 21, 2008
Reply to Office action of February 11, 2008

REMARKS/ARGUMENTS

The above identified patent application has been amended and reconsideration and reexamination are hereby requested.

Claims 1-15 and 17-31 are now pending in the application. Claim 16 has been previously canceled. Claims 1, 12, 14, 17, and 21 have been amended.

The Applicant thanks the Examiner for the Examiner Interview conducted on April 17, 2008. In the Interview, the Examiner explained that there was a typographical error in the Office action and that claims 1-9, 17-20, and 29-31 were rejected over Jones et al. (US 2002/0156661) and Jafri (US 5,832,454). The Examiner also pointed out the rejections to claims 30 and 31 are on page 5. In addition, with respect to claims 1 and 17, the Examiner recommended moving the "altering" limitation as currently amended. Claims 12 and 21 were also discussed in light of Lynch et al. (US 6,119,094).

Claims Rejections - 35 U.S.C. § 102

The Examiner has rejected Claims 14-15 and 27 under 35 U.S.C. § 102(e) as being anticipated by Jones et al. (US 2002/0156661).

Amended Claim 14 includes "... wherein the information server is configured to perform permutations on the information for a plurality of types of travel products by calculating concurrent variations of the information on the plurality of types of travel products using the selection criteria or a variation of the selection criteria." The Applicant submits that Jones et al. does not teach the above limitation.

Jones et al., while providing for relaxing constraints (paragraph [0057]), does not provide the above limitation. In Jones et al., constraints are relaxed separately rather than concurrently (see paragraph [0057]). Because Jones et al. relaxes the constraints separately, the calculations in Jones et al. do not take into account hidden dependencies on what are normally independent constraints. For example, with respect to the example in paragraph [0057], distance to a restaurant and food type are normally independent from each other, however by relaxing the constraints separately, the Jones et al. system may not take into account an interrelationship

Appln No. 09/765,535
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between distance to a restaurant and food type, such as, for example, an American restaurant providing a discount to customers that can prove their hotel stay is 15 miles from the restaurant. Accordingly, the Applicant submits that Jones et al. does not teach "... wherein the information server is configured to perform permutations on the information for a plurality of types of travel products by calculating concurrent variations of the information on the plurality of types of travel products using the selection criteria or a variation of the selection criteria."

Accordingly, the Applicant submits that Claim 14 is not anticipated by Jones et al. under 35 U.S.C. § 102(e).

Claims 15 and 27 are dependent on Claim 14 and therefore include all of the limitations of Claim 14 and additional limitations therein. As such, these claims are also allowable based upon Claim 14 and the additional limitations therein.

Claims Rejections - 35 U.S.C. § 103

The Examiner has rejected Claims 1-9, 17-20, and 29-31 under 35 U.S.C. § 103(a) as being unpatentable over Jones et al. in view of Jafri (US 5,832,454). The Examiner has rejected Claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Jones et al. in view of Jafri and in further view of Lyengar et al. (US 6,360,205). The Examiner has rejected Claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Jones et al. in view of Jafri and in further view of DeLorme et al. (US 5,948,040).

Claim 1 includes "... performing permutations on the information for the plurality of types of travel products received from the user by automatically altering concurrently the information for the plurality of types of travel products received from the user based on the plurality of alternative criteria; determining alternative travel products to offer the user based on data from the accessed electronic discount database and based on results of the performed permutations." Claim 17 includes "... performing permutations on the information for the plurality of travel products received from the user by automatically altering concurrently the information for the plurality of travel products received from the user based on the plurality of search criteria; determining the alternative travel products to offer the user based on data from

Appn No. 09/765,535
Amdt date April 21, 2008
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the accessed discount database and based on results of the performed permutations." The Applicant submits that the above limitations as claimed in Claims 1 and 17 are neither taught nor suggested nor are an obvious result from a reasonable combination of the teachings in the references Jones et al. and Jafri, alone or in combination.

Jafri, while providing for concurrently reserving seats on airlines (column 5, lines 18-21), does not disclose the above limitation. In Jafri, processing of itineraries proceed in parallel in order to accelerate the reservation process (column 5, lines 41-42). The parallel processing of itineraries involves concurrently reserving seats (column 5, lines 18-21; see also column 4, line 37 and FIG. 3, which shows concurrent reservations C1, C2, C3 of seats on multiple airlines; see also claims 4 and 5, which mention processing in parallel). Concurrently reserving as taught by Jafri is different from "altering concurrently the information for the plurality of types of travel products," as no data is concurrently altered while the reservations are concurrently made and "altering concurrently the information" does not require parallel processing.

Further, Jafri does not teach "performing permutations on the information for the plurality of types of travel products received from the user by automatically altering concurrently the information for the plurality of types of travel products received from the user based on the plurality of alternative criteria; determining alternative travel products to offer the user based on data from the accessed electronic discount database and based on results of the performed permutations." For more information on the limitations, see, for example, paragraphs [0051]-[0054] of the current patent application (US Pub. No. 2001/0034625), which teaches running numerous permutations across a plurality of types of travel products, which allows the system to take into account interrelationships between the plurality of types of travel products.

Therefore, because the cited references do not teach or suggest all of the claim limitations, the Applicant submits that the *prima facie* case of obviousness is not established, and therefore Claims 1 and 17 are unobvious and patentable over the cited references.

Claims 2-11, 26, 29-30 are dependent on Claim 1 and therefore include all of the limitations of Claim 1 and additional limitations therein. As such, these claims are also allowable based upon Claim 1 and the additional limitations therein. Claims 18-20 and 31 are

Appln No. 09/765,535
Am dt date April 21, 2008
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dependent on Claim 17 and therefore include all of the limitations of Claim 17 and additional limitations therein. As such, these claims are also allowable based upon Claim 17 and the additional limitations therein.

Claims Rejections - 35 U.S.C. § 103

The Examiner has rejected Claims 12-13, 21-26, and 28 under 35 U.S.C. § 103(a) as being unpatentable over Jones et al. in view of Lynch et al. (US 6,119,094).

Claim 12 includes "... performing permutations on the information for the plurality of types of travel products received from the user by automatically altering concurrently the information for the plurality of types of travel products received from the user." Claim 21 includes "... performing permutations on the information for the plurality of travel products received from the user by automatically altering concurrently the information for the plurality of travel products received from the user based on the alternative travel product search criteria; determining the alternative travel products as a function of discounts accessed from the second database and results of the performed permutations." The Applicant submits that the above limitations as claimed in Claims 12 and 21 are neither taught nor suggested nor are an obvious result from a reasonable combination of the teachings in the references Jones et al. and Lynch et al., alone or in combination.

As stated by the Examiner, Jones et al. does not expressly disclose the above limitations (page 8 of the Office action).

Lynch et al., while providing for outputting a table of alternate low-cost travel arrangements (column 8, lines 56-65), does not provide the above limitations. That is, Lynch et al. does not provide for "performing permutations on the information for the plurality of types of travel products received from the user by automatically altering concurrently the information for the plurality of types of travel products received from the user." Nor does Lynch et al. provide for "performing permutations on the information for the plurality of travel products received from the user by automatically altering concurrently the information for the plurality of travel products received from the user based on the alternative travel product search criteria;

Appn No. 09/765,535
Amdt date April 21, 2008
Reply to Office action of February 11, 2008

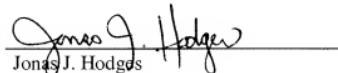
determining the alternative travel products as a function of discounts accessed from the second database and results of the performed permutations."

Accordingly, because the cited references do not teach or suggest all of the claim limitations, the Applicant submits that the *prima facie* case of obviousness is not established, and therefore Claims 12 and 21 are unobvious and patentable over the cited references.

Claim 13 is dependent on Claim 12 and therefore includes all of the limitations of Claim 12 and additional limitations therein. As such, this claim is also allowable based upon Claim 12 and the additional limitations therein. Claims 22-25, 28, and 32 are dependent on Claim 21 and therefore include all of the limitations of Claim 21 and additional limitations therein. As such, these claims are also allowable based upon Claim 21 and the additional limitations therein.

Therefore, in view of the above amendment and remarks, the Applicant respectfully submits that the claims are patentably distinct over the prior art and that all the rejections to the claims have been overcome. As such, allowance of the above Application is requested. If there are any remaining issues that can be addressed over the telephone, the Examiner is cordially invited to call the Applicant's attorney at the number listed below.

Respectfully submitted,
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